

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY**

ASTRAZENECA LP and ASTRAZENECA AB,)

Plaintiffs,)

v.)

BREATH LIMITED,)

Defendant.)

Consolidated Civil Action No. 08 CV 1512
(RMB)(AMD)

ASTRAZENECA LP and ASTRAZENECA AB,)

Plaintiffs,)

v.)

APOTEX, INC. and APOTEX CORP.,)

Defendant.)

**STIPULATED AMENDMENT TO SCHEDULING ORDER
AND FEBRUARY 17, 2010 ORDER**

This matter having come before the Court upon the application of Plaintiffs AstraZeneca LP and AstraZeneca AB, Defendants Apotex, Inc. and Apotex Corp., and Defendant Breath Limited for entry of an amendment to the February 3, 2010 Scheduling Order and the February 17, 2010 Stipulated Amendment To January 20, 2010 Order, and for good cause shown;

IT IS HEREBY AGREED AND ORDERED on this 15th day of MARCH, 2010 that the dates set forth in the February 3, 2010 Scheduling Order and the February 17, 2010 Stipulated Amendment To January 20, 2010 Order shall be modified as follows:

Event	Current Schedule	Proposed Date
Close of fact discovery	March 15, 2010	April 7, 2010
Responsive <i>Markman</i> Briefs	March 26, 2010	April 16, 2010
Expert reports on issues on which parties bear burden of proof	April 12, 2010	April 30, 2010
Rebuttal expert reports	May 10, 2010	May 28, 2010
Reply expert reports	June 1, 2010	June 18, 2010
Depositions of proposed expert witnesses concluded	July 6, 2010	July 30, 2010
Summary judgment or other dispositive motions filed	August 2, 2010	August 24, 2010

DATED: March 10, 2010

By: s/John E. Flaherty

William J. Heller
John E. Flaherty
Jonathan M.H. Short
MCARTER & ENGLISH LLP
Four Gateway Center
100 Mulberry Street
Newark, NJ 07102
(973) 622-4444

Denise L. Loring
Christopher J. Harnett
Pablo D. Hendler
Derek M. Kato
Michael S. Burling
ROPES & GRAY LLP
1211 Avenue of the Americas
New York, NY 10036
(212) 596-9000

*Attorneys for Plaintiffs AstraZeneca LP
and AstraZeneca AB*

DATED: March 10, 2010

By: s/Eric I. Abraham

Eric I. Abraham
HILL WALLACK LLP
202 Carnegie Center
CN 5226
Princeton, NJ 08543
(609) 924-0808

Richard J. Basile
David W. Aldrich
ST. ONGE STEWARD JOHNSTON &
REENS LLC
986 Bedford Street
Stamford, Connecticut 06905-5619
(203) 324-6155

*Attorneys for Defendants Apotex, Inc. and
Apotex Corp.*

DATED: March 10, 2010

By: s/Arnold B. Calmann

Arnold B. Calmann

Katherine A. Escanlar

SAIBER LLC

One Gateway Center, 10th Floor

Newark, New Jersey 07102-5311

(973) 622-3333

William A. Rakoczy

Paul J. Molino

Deanne M. Mazzochi

Amy D. Brody

RAKOCZY MOLINO MAZZOCHI

SIWIK LLP


6 West Hubbard Street, Suite 500

Chicago, Illinois 60654

(312) 222-6301

Attorneys for Defendant Breath Limited

SO ORDERED this 15th day of MARCH 2010



Hon. Ann Marie Donio, U.S.M.J.